

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DONEGAL, INC.,
Plaintiff,

No. 1:10-cv-923

-v-

HONORABLE PAUL L. MALONEY

KEPS TECHNOLOGIES, INC, D/B/A
ACD.NET; KEVIN SCHOEN; AND
MICHAEL OESTERLE,
Defendants.

ORDER GRANTING DEFAULT JUDGMENT AGAINST DEFENDANT OESTERLE

Plaintiff Donegal Inc. (Plaintiff) served a summons and complaint on Defendant Michael Oesterle on September 21, 2010. (ECF No. 5.) Defendant Oesterle failed to respond or answer the complaint within the allotted time. Default entered against Defendant Oesterle on October 18, 2010. (ECF No. 10.) Plaintiff now moves for default judgment. (ECF No. 11.) Having reviewed the submissions, Plaintiff's motion for default judgment against Defendant Oesterle is **GRANTED**.

IT IS HEREBY ORDERED that Plaintiff's motion is **GRANTED** and default judgment is entered in favor of Plaintiff and against Defendant Oesterle on Counts VII, VIII and XII of the complaint.

IT IS FURTHER ORDERED that under MCL § 600.2919a, Defendant Oesterle is liable for treble damages on those three counts.

IT IS FURTHER ORDERED, upon Plaintiff's request, that Plaintiff is permitted to conduct discovery on the issue of damages. Accordingly, any hearing necessary on the damages issue will be scheduled upon request at a later date.

Date: November 16, 2010

/s/ Paul L. Maloney
Paul L. Maloney
Chief United States District Judge